

REMARKS/ARGUMENTS

Claims 1, 3, and 5-16 have been resubmitted. Claims 1, 12, and 16 have been amended. Claims 2, 4, and 17-22 have been canceled.

The Examiner requested an affirmation of a provisional election with traverse between Group I (Claims 1-16) and Group II (Claims 17-22).

The Examiner has objected to the disclosure because of an informality in paragraph [0002]. The Examiner further objected to claims 12 and 16 due to informalities.

The Examiner has rejected Claims 1, 3, 5-8, 12, 13, and 16 under 35 U.S.C. §102(b) as being anticipated by JP 4-303135. The Examiner has rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over JP 4-303135.

Allowable Subject Matter

Claims 9-11 and 14-15 are allowed.

The Examiner has acknowledged that claim 4 is directed to allowable subject matter.

Restriction

Applicant affirms the provisional election to proceed with Claims 1-16 and has therefore cancelled Claims 17-22.

JP 4-303135

Claims 1, 3, 5-8, 12, 13, and 16 have been rejected under 35 U.S.C. §102(b) as being anticipated by the '135 patent.

JP 4-303135 (the '135 patent) discloses a scroll, back plate, high pressure turbine shroud, and a nozzle vane integrated to a condition where they are less likely to have effects of a thermal stress. However, in contrast to the present invention, the '135 patent does not have a turbine engine wherein a "forward discourager comprises a bending angle of about 90 degrees" as claimed in amended claim 1. Claim 1 has been amended to include the limitation from claim 4 which was directed to allowable subject matter. Therefore, claim 1 is believed to be allowable. Claims 3, and 5-8 are believed to be allowable based on dependence on claim 1. Further, the '135 patent does not disclose, teach or suggest a turbine engine wherein a "B-width is kept constant by action of said four pairs of sealing surfaces" (amended claim 12). Claim 13 is believed to be allowable based on dependence on claim 12. In accordance with the objection to an informality in claim 16, claim 16 has been amended to be dependent on claim 14, which is believed to be allowable. Therefore, claim 16 is also believed to be allowable.

Applicants thus submit that the amended claims are not anticipated by the '135 patent and respectfully request withdrawal of the rejection.

35 U.S.C. §103(a)

Claim 2 has been canceled. Thus, the rejection of claim 2 is believed to be moot.

CONCLUSION

Reconsideration and withdrawal of the Office Action with respect to Claims 1, 3, 5-8, 12, 13, and 16 is requested.

In the event the examiner wishes to discuss any aspect of this response, please contact the attorney at the telephone number identified below.

Respectfully submitted,

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